

Proof of Evidence on behalf of Worcestershire County Council as the County Planning Authority

Kirsten Berry BA (Hons), DipTP, MRTPI

Proposed development of an energy from waste (EfW) facility for the combustion of non-hazardous waste and the recovery of energy comprising the energy from waste facility buildings and associated infrastructure (including an excavated platform; site access; internal roads; weighbridges; car parking; fencing; drainage works and landscaping) on land at Plot H 600, Oak Drive, Hartlebury Trading Estate, Hartlebury, Worcestershire.

Planning Inspectorate reference: **APP/E1855/V/11/2153273**
Worcestershire County Council planning application
reference: **10/000032/CM**

Proof of Evidence - Summary

October 2011

INTRODUCTION

1.1.1 My name is Kirsten Berry. I hold a Bachelor of Arts Honours Degree in Planning Studies, and a Diploma in Planning, Environmental Assessment and Management. I have worked as a professional planner for 15 years, and over the last ten years have specialised in waste, energy and minerals planning matters. I am a Member of the Royal Town Planning Institute.

1.1.2 I joined Environmental Resources Management Limited (ERM) in April 2003, in order to provide the UK Waste Management Team with specialist planning support. I was made a Partner of the firm in August 2010 and now lead the planning practice; managing, and remaining directly involved in, a range of energy and waste planning projects.

THE SITE AND PROPOSAL

1.1.3 The inquiry site comprises of a 3.56 hectares (ha) plot of land situated centrally in the Hartlebury Trading Estate. The Trading Estate is located within the Green Belt approximately 7 km to the south-east of Kidderminster and 1.5 km to the east of Hartlebury. The proposal is for a 200,000 tpa energy from waste (EfW) plant and associated ancillary development. Additionally, the proposed Facility will recover energy, approximately 15.5 MW gross with 13.5 MW exported to the national grid. The site's location with surrounding industrial and commercial properties means that realistic opportunities exist for future export of heat.

1.1.4 The EfW process will result in by-products (incinerator bottom ash and air pollution control residues) that are proposed to be managed to the CPA's satisfaction.

THE DEVELOPMENT PLAN

- 1.1.5 I consider that the proposal is in conformity to the development plan, comprising the saved policies of the West Midland Regional Spatial Strategy, the Worcestershire County Structure Plan and the Wychavon District Plan, with the exception of policies in relation to landscape and visual impact, and Green Belt. I also consider that apart from these issues, the EnviRecover Facility is in conformity to the policies of the emerging Worcestershire Waste Core Strategy. I am satisfied that the EnviRecover Facility is suitable in terms of: Ecology and Nature Conservation, subject to full consideration of the additional environmental information¹; Transport; Surface Water, Flood Risk and Groundwater; Archaeology and Cultural Heritage; Noise and Vibration; Cumulative impacts and Air Quality and Health. Where potential impacts have been identified, I believe that these can be appropriately controlled through the recommended conditions.

WASTE MANAGEMENT

- 1.1.6 I conclude that the EnviRecover Facility is in conformity with the waste management principles established in the rWFD, the WSE 2007, the Waste Review 2011, PPS 10, the WMRSS, saved policies WD1, WD2 and WD3 of the Structure Plan and the JMWMS 2009.
- 1.1.7 I consider that assuming that WSE 2007 recycling/composting targets are met, with the resultant tonnage subtracted from the Preferred Scenario of the JMWMS 2009, municipal waste arisings forecasts would leave a substantial amount of waste to be diverted from landfill, in the order of (this has been applied to all municipal waste not just the household portion): 243,080 tonnes at 2010; 232,000 at 2015; 219,250 at 2020; and 242,600 tonnes at 2034.

¹ The CPA will be providing supplementary evidence in relation to the additional environmental information

1.1.8 I recognise that a reduction of municipal waste arisings and/or increased recycling will inevitably reduce the amount of residual municipal waste available to be treated in the proposed EnviRecover Facility. However, even in the event that 60% recycling/composting was achieved across Worcestershire and Herefordshire (a significant increase from current performance and 10% over the national target) a substantial amount of municipal waste would remain to be diverted from landfill: 168,730 tonnes at 2015; 175,400 at 2020; and 194,080 at 2034. Should there remain any capacity at the proposed Facility due to a shortage of residual municipal waste, this could appropriately be used to manage residual C&I wastes, as is promoted in WSE 2007.

1.1.9 I am content that the EnviRecover Facility is suitably sized and would manage waste at an appropriate level of the waste hierarchy. There remains the ability for increased recycling to be achieved, with the EnviRecover Facility appropriately managing those wastes that still remain to be diverted from landfill, a fundamental aim of all waste management policy.

ENERGY

1.1.10 The proposed EnviRecover Facility will result in the reduction of CO₂ equivalents, delivering climate change objectives. I have identified that the proposed development is entirely consistent with the Government's policy on energy, providing a supply of electricity and potentially heat in the future, that:

- is renewable;
- is low carbon;
- is decentralised;
- is secure;
- can be provided in a timely fashion;
- is reliable and cost-effective; and, in addition to all the above
- delivers on sustainable waste management objectives.

1.1.11 At a more local level, the EnviRecover Facility will help deliver the aims of the Worcestershire Climate Change Strategy Review 2009 by delivering renewable energy and reducing carbon emissions.

1.1.12 The over-riding message from succeeding Governments is that the UK urgently needs a secure, diverse and reliable energy supply – this is clear, not least from the NPS also addressing fossil fuel energy generation. I conclude, in relation to the Government’s objectives on climate change, there is an overall benefit from the implementation of the proposal and that it would make an important and positive contribution to renewable energy needs, climate change and carbon reduction in line with national, regional and local policy.

LANDSCAPE AND VISUAL IMPACTS

1.1.13 I have recognised that there will be impacts as a result of the proposed EnviRecover Facility. However, significant effects are limited to very few areas. I consider that the design has been well developed and does offer the best option from those considered. I also consider that the Applicant has undertaken or implemented all that can reasonably be done to reduce the visual impacts of the structures proposed. This includes the excavation of 60,000 tonnes of clay to sink the building 8 metres into the ground, in order to reduce the height, and consequently the visual impact, of the building.

1.1.14 I recognise that the proposal requires substantial built development, however the impact resulting from that structure is a subjective judgement to be made by each individual. Having taken account of the submitted information and the comments of statutory advisors, and made my own visits to the site and its surroundings, I conclude that the visual and landscape impacts of the proposed EnviRecover Facility are not so significant to justify the refusal of the application.

GREEN BELT

1.1.15 The EnviRecover Facility is inappropriate development in the Green Belt. I consider that whilst there is, consequently, an impact on the openness of the Green Belt, principally from its visual impact that this is not so significant as to justify refusal of the application. I also consider that any other potential harm that may result from the proposed development (principally landscape and visual impact) are not so significant as to justify refusal and may otherwise be adequately and appropriately addressed through the imposition of suitable conditions.

1.1.16

I consider that very special circumstances exist to justify the proposal. As advised by the key planning objectives of PPS 10, and as relevant to this proposal, I concur with a number of the particular locational needs, together with the wider environmental and economic benefits of sustainable waste management, presented by the Applicant. I conclude that the following very special circumstances in favour of the proposal exist:

1. That there is a significant need for the proposed EnviRecover Facility to avoid current, unsustainable waste management practice and that the development proposal is submitted in a timely manner enabling statutory targets in relation to landfill diversion and waste recovery to be met.
2. That there are no other more sustainable site alternatives available.
3. That the Hartlebury site is at (or very close to) the optimum location to serve the overall pattern of waste arisings within Worcestershire and Herefordshire.
4. The site's location in an area with excellent transportation connectivity, on suitable standards of road that require no physical improvements (or consequent financial investment) will bring environmental benefits, including road safety and fuel efficiency.
5. That the proposed EnviRecover Facility would bring climate change benefits, not least through a reduction of at least 7,361 tonnes of CO₂ equivalents per annum.
6. That the site is in an area where electricity can be readily exported (with an economically viable grid connection) and there are opportunities to facilitate the export and use of heat.
7. The locational benefits of being situated local to potential market for the clay soils and bottom ash.
8. That the site is located in an area that does not contain insuperable environmental constraints, nor would significant or unacceptable environmental impacts occur as a result of the development.
9. The economic benefits, the sale of electricity would generate a value of approximately £5,000,000 per annum. The proposal would bring full time employment for approximately 42 people and short term employment for up to 300 workers during construction.

10. The site has excellent links to existing waste management infrastructure, and consequent benefits arising from not needing to develop additional waste transfer stations.
11. The locational advantage of being situated adjacent to landfill facilities.

CONCLUSION

1.1.17 The EnviRecover Facility will deliver an essential element of Worcestershire's waste management infrastructure necessary to drive waste up the hierarchy. The proposal will recover energy, of which a large proportion is classed as renewable, helping to meet the urgent need identified by Government policy. 2020 is a key year for energy supply and waste management. The EnviRecover Facility can be operational to assist in the delivery of each of the targets:

- i) The UK Renewable Energy Strategy seeks to achieve 30% of electricity generation and 12% of heat from renewable sources.
- ii) NPS EN-1 states that the UK will need approximately 43GW of new capacity by 2020 and 60GW by 2025.
- iii) The LCTP sets a target of gaining 40% of the UK's power from low carbon sources by 2020.
- iv) The LCTP sets out the strategy to deliver a reduction of 18% of all UK 2008 emission levels by 2020.
- v) The Landfill Directive requires biodegradable waste to landfill in the UK to be reduced to 35% of that produced in 1995 by 2019/2020.
- vi) WSE 2007 seeks recovery of 75% of MW by 2020.

1.1.18 The EnviRecover Facility is generally in conformity with the development plan and acceptable in environmental terms. Where a conflict is identified, the impact is not considered so significant to justify refusal and in any event, such impacts are outweighed by the sustainability benefits to be gained. The proposal does constitute inappropriate development within the Green Belt. However, I conclude that very special circumstances, some of which should be granted significant weight, are shown to justify such development.

1.1.19 I respectfully request that the Committee resolution of 1 March 2011 is upheld.